

Grade	Percent maximum limits of—	
	Con- trasting classes ²	Classes that blend ³
U.S. No. 3	2.0	15.0

¹ Beans with more than 18.0 percent moisture are graded High moisture.

² Beans with more than 2.0 percent contrasting classes are graded Mixed beans.

³ Beans with more than 15.0 percent classes that blend are graded Mixed beans.

U.S. Substandard: U.S. Substandard shall be beans which do not meet the requirements for the grades U.S. No. 1 through U.S. No. 3 or U.S. Sample grade. Beans which are not well screened shall also be U.S. Substandard, except for beans which meet the requirements for U.S. Sample grade.

U.S. Sample grade: U.S. Sample grade shall be beans which are musty, sour, heating, materially weathered, or weevily; which have any commercially objectionable odor; which contain insect webbing or filth, animal filth, any unknown foreign substance, broken glass, or metal fragments; or which are otherwise of distinctly low quality.

3. Section 68.140 is revised to read as follows:

§ 68.140 Grades and grade requirements for the classes Baby Lima and Miscellaneous Lima Beans.

Grade	General appearance	Percent maximum limits of—				
		Mois- ture ¹	Total defects (DKT, FM, CCL, & SP)	Badly dam- aged	Foreign material	
					Total	Stones
U.S. No. 1	The special grade off-color may be applied after the removal of total defects.	18.0	2.0	1.0	0.5	0.2
U.S. No. 2		18.0	4.0	1.5	1.0	0.3
U.S. No. 3		18.0	6.0	2.0	1.5	0.6

Grade	Percent maximum limits of—			
	Con- trasting classes ²	Blis- tered, wrin- kled, and/or broken	Splits	Classes that blend ³
U.S. No. 1	0.5	2.0	2.0	5.0
U.S. No. 2	1.0	4.0	4.0	10.0
U.S. No. 3	2.0	6.0	6.0	15.0

¹ Beans with more than 18.0 percent moisture are graded High moisture.

² Beans with more than 2.0 percent contrasting classes are graded Mixed beans.

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U.S. Substandard: U.S. Substandard shall be beans which do not meet the requirements for the grades U.S. No. 1 through U.S. No. 3 or U.S. Sample grade. Beans which are not well screened shall also be U.S. Substandard, except for beans which meet the requirements for U.S. Sample grade.

U.S. Sample grade: U.S. Sample grade shall be beans which are musty, sour, heating, materially weathered, or weevily; which have any commercially objectionable odor; which contain insect webbing or filth, animal filth, any unknown foreign substance, broken glass, or metal fragments; or which are otherwise of distinctly low quality.

Dated: February 16, 1995.

James R. Baker,
Administrator.

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**Office of the Assistant Secretary for Public and Indian Housing****24 CFR Chapter IX**

[Docket No. N-95-3858; FR-3647-N-01]

RIN 2577-AB44

Vacancy Rule: Notice of Establishment of a Negotiated Rulemaking Advisory Committee and of First Meeting

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Notice of establishment of a negotiated rulemaking committee and of first meeting.

SUMMARY: The Department is announcing the establishment of a Negotiated Rulemaking Advisory Committee under the Federal Advisory Committee Act (FACA). The purpose of the Committee is to discuss and negotiate a proposed rule that would change the current method of determining the payment of operating subsidies to vacant public housing units. The Committee consists of representatives with a definable stake in the outcome of a proposed rule. A charter for the Committee has been approved pursuant to the FACA, Executive Order 12838, and the implementing regulations. This notice also announces the time and place of the first Committee meeting, which will be open to the public.

DATES: The first meeting of the Committee will take place March 7-9, 1995. On March 7, the meeting will start at 10:00 a.m. and run until completion; on March 8, the meeting will start at 9:00 a.m. and run until completion; and on March 9, the meeting will start at 9:00 a.m. and run until approximately 1:00 p.m.

ADDRESSES: The first meeting of the Committee will be held in the Captain's Room of the Channel Inn Hotel; 650 Water Street, SW., Washington, DC 20024.

FOR FURTHER INFORMATION CONTACT: John T. Comerford, Director, Financial Management Division, Public and Indian Housing, Room 4212, Department of Housing and Urban Development, 431 Seventh Street SW., Washington, DC 20410-0500; telephone (202) 708-1872, or (202) 708-0850 (TDD). (These telephone numbers are not toll-free.)

SUPPLEMENTARY INFORMATION:**Background**

On January 3, 1995, HUD published a notice of intent to establish a Negotiated Rulemaking Advisory Committee to discuss and negotiate a proposed rule that would change the current method of determining the payment of operating subsidies to vacant public housing units (60 FR 304) ("January 3 notice"). Subsequent to the publication of the January 3 notice, a charter for the Committee was approved pursuant to the FACA, Executive Order 12838, and the implementing regulations at 41 CFR 101-6.1007.

The January 3 notice requested comment concerning the issues it should consider and the proposed membership of the Committee. The Department received two comments on the notice of intent. One commenter was a public housing agency (PHA) from the State of Alaska requesting Committee membership. The other commenter was a national association, the Council of Large Public Housing Authorities (CLPHA), with comments on membership balance and the efficacy of changing the current subsidy payment system in light of HUD's proposal to transform the public housing program. After review of the comments and for the reasons stated in the notice of intent, the Department has determined that established a negotiated rulemaking advisory committee on this subject is necessary and in the public interest.

Facilitators

As stated in the notice of intent, the Federal Mediation and Conciliation Service (FMCS) will provide facilitators for this effort.

Substantive Issues for Negotiation

The convening report identified the following issues to be addressed by the Committee:

- What constitutes an acceptable level of vacancies for housing authorities of various size classifications?
- What criteria should be used for providing less than full subsidy?
- What criteria should be used for providing full subsidy despite less than full occupancy?

CLPHA suggested that HUD delay negotiated rulemaking on these vacancy rule issues until HUD and Congress resolve the broader issues concerning HUD's future role in the area of public housing. While it is true that the Department is seeking to transform public housing and convert operating subsidies to PHAs into rental assistance to residents, that transformation will not

be completed for a period of at least 6 years. The Department believes that changes are needed now to correct inequities and inefficiencies in the current rule and that to maintain the status quo is not good public policy.

Committee Membership

The FMCS conveners consulted and interviewed over 30 officials of various organizations interested and affected by the vacancy rule. Three national Housing Agency (HA) associations—the Council of Large Public Housing Authorities (CLPHA), the National Association of Housing and Redevelopment Officials (NAHRO), and the Public Housing Authority Directors Association (PHADA)—worked together to suggest for committee membership executive directors of HAs that would reflect a balance among HAs in terms of size and number of vacant units. The national associations committed themselves to serving as staff support to the HAs selected for membership.

The members of the Committee are the following:

Housing Agencies

- Housing Authority of the city of Houston, TX.
- Cuyahoga Metropolitan Housing Authority, Cleveland, OH.
- Birmingham, AL Housing Authority.
- New York City, NY Housing Authority.
- Newark, NJ Housing Authority.
- Reno, NV Housing Authority.
- Littleton, CO Housing Authority.
- Housing Authority of the city of South Bend, IN.

Tenant Organizations and Public Interest Groups

- National Tenants Organization, Ft. Pierce, FL.
- Bromley Health Tenant Management Corporation, Jamaica Plains, MA.
- New Jersey Association of Public and Subsidized Housing Residents, Newark, NJ.
- National Housing Law Project, Washington, DC.
- Housing and Development Law Institute, Washington, DC.
- Illinois Association of Housing Authorities.

Federal Government

- U.S. Department of Housing and Urban Development

The Executive Director of the Kodiak Island, AK, Housing Authority asked that she or another qualified Alaska housing representative be a member of the committee, saying that the interests

of remote housing authorities administering Indian housing programs should be represented. However, the Department has recognized the unique and special circumstances of administering public housing programs in Alaska by not applying the performance funding system (PFS) regulations to housing owned by HAS in Alaska, as well as the Virgin Islands, Puerto Rico, and Guam. Operating subsidy payments to these HAS are based upon budgets approved by HUD on a case-by-case basis. Since the purpose of the committee is to develop a proposed rule that would change the current PFS approach to payment of operating subsidies to vacant units, HAS that use a non-PFS approach do not have a direct interest that should be represented on the committee.

CLPHA commented that large housing authorities that are directly experiencing serious vacancy problems should constitute the majority of the committee. The Department notes that housing authorities now have 8 of the 14 committee memberships and that 1 of the public interest groups given membership is an association representing housing authorities in Illinois. Of the eight HA members, six are currently dealing with vacancy problems or have done so in the recent past. Clearly, the collective interests of HAS are well represented, as are the interests of those large authorities with vacancy problems. It should also be emphasized that the committee will try to achieve its goals of developing a new proposed vacancy rule through measures that seek to achieve a consensus among all committee members.

Tentative Schedule

HUD will hold the first meeting of the committee on March 7–9, 1995. On March 7, the meeting will start at 10:00 a.m. and run until completion; on March 8, the meeting will start at 9:00 a.m. and run until completion; and on March 9, the meeting will start at 9:00 a.m. and run until approximately 1:00 p.m. The location of the meeting will be the Captain's Room of the Channel Inn Hotel, 650 Water Street, SW, Washington, D.C. 20024. The purpose of the meeting will be to orient members to the negotiated rulemaking (reg-neg) process, establish a basic set of understandings and ground rules (protocols) regarding the process that will be followed in seeking a consensus, and begin to address the issues. This meeting is open to the public.

Decisions with respect to future meetings will be made at the first

meeting and from time to time thereafter. Notices of future meetings will be published in the **Federal Register** if time permits.

To prevent delays that might postpone timely issuance of a proposed rule, HUD intends to terminate the committee's activities if it does not reach consensus within 5 months of the first meeting. The process may end earlier if the FMCS conveners/facilitators believe that sufficient progress cannot be made or that an impasse has developed that cannot be resolved.

Authority: 42 U.S.C. 1437g, 3535(d).

Dated: February 21, 1995.

Joseph Shuldiner,

Assistant Secretary for Public and Indian Housing.

[FR Doc. 95–4614 Filed 2–21–95; 2:31 pm]

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DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 184

[DoD 4145.26–M]

Contractor's Safety for Ammunition and Explosives

AGENCY: Office of the Secretary of Defense, DoD.

ACTION: Proposed rule; extension of comment period.

SUMMARY: On December 16 1994, 59 FR 64911, the Department of Defense published a proposed rule which codifies its revised explosives safety standards for ammunition and explosives (A&E) work performed under DoD contracts. The proposed rule is necessary to minimize the potential for mishaps that could interrupt DoD operations, delay project completion dates, adversely impact DoD production base or capability, damage or destroy DoD-owned material/equipment, cause injury to DoD personnel, or endanger the general public. Comments were requested by February 14, 1995. The DoD Explosives Safety Board has been requested by several interested contractors to extend the comment period to provide time for a more detailed technical review. In the interest of all concerned parties, including the DoD and its potential A&E contractors, notice is hereby given of an extension of the Comment period from February 14, 1995 through May 15, 1995.

DATES: Comments are requested by May 15, 1995.

ADDRESSES: Send comments to: Chairman, Department of Defense Explosives Safety Board, (DDESB), 2461 Eisenhower Avenue, Alexandria, VA 22331–0600.

FOR FURTHER INFORMATION CONTACT: Ray B. Sawyer, Director, Technical Programs Division, DDESB, telephone (703) 325–8624.

Dated: February 17, 1995.

Patricia L. Toppings,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 95–4494 Filed 2–23–95; 8:45 am]

BILLING CODE 5000–04–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[SC–27–1–6735b; FRL–5145–9]

Approval and Promulgation of Implementation Plans South Carolina: Title V, Section 507, Small Business Stationary Source Technical and Environmental Compliance Assistance Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA proposes to approve the State Implementation Plan (SIP) revision submitted by the State of South Carolina for the purpose of establishing a small business assistance program (SBAP). In the final rules section of this **Federal Register**, the EPA is approving the State's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to that direct final rule, no further activity is contemplated in relation to this proposed rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this document. Any parties interested in commenting on this document should do so at this time.

DATES: To be considered, comments must be received by March 27, 1995.

ADDRESSES: Written comments should be addressed to: Ms. Kimberly Bingham, Regulatory Planning and Development Section, Air Programs Branch, Air,